

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ORCHID ISLAND TRS, LLC, et al.,

Plaintiffs,

v.

INDYMAC BANCORP, INC., et al.

Defendants.

Civil Action No: 1:07-cv-09550-LLS

NOTICE OF BANKRUPTCY

PLEASE TAKE NOTICE that on July 31, 2008, IndyMac Bancorp, Inc., a Delaware corporation (the “Debtor”) filed a voluntary petition for relief, commencing its chapter 7 bankruptcy case in the United States Bankruptcy Court for the Central District of California, Los Angeles Division, Case No. 2:08-21752-BB. Alfred H. Siegel has been appointed Chapter 7 Trustee in the bankruptcy case. Effective as of the commencement of the bankruptcy case, Bankruptcy Code section 362 provides for an automatic stay of, among other things, (1) the commencement or continuation of lawsuits, actions, or other proceedings against the Debtor to recover a claim against the Debtor that arose before the commencement of the bankruptcy case; (2) the enforcement, against the Debtor or against property of the estate, of a judgment obtained before the commencement of the bankruptcy case; (3) any act to create, perfect, or enforce any lien against property of the estate; and (4) the setoff of any debt owing to the Debtor that arose before the commencement of the bankruptcy case against any claim against the Debtor. 11 U.S.C § 362(a).

This Notice is being provided solely as a courtesy and is not an entry of appearance by the Trustee or his counsel.

DATED: August 29, 2008

/s/ Kenneth N. Klee

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